



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

July 20, 2007

Jeff Leach
Sierraville Ranger District
Tahoe National Forest
P.O. Box 95 (317 South Lincoln)
Sierraville, CA 96126

Subject: Phoenix Project Revised Draft Environmental Impact Statement, Tahoe National Forest, California [CEQ# 20070197]

Dear Mr. Leach:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act. Our comments are provided in accordance with the EPA-specific extension to the comment deadline date from July 9, 2007 to July 23, 2007 (telephone conversation with between Laura Fujii and Jeff Leach, July 5, 2007). We appreciate your understanding and patience. Based upon our review, we have rated this Revised Draft Environmental Impact Statement (RDEIS) as EC-2 -- Environmental Concerns-Insufficient Information (see the enclosed "Summary of Rating Definitions").

The proposed project would treat poor forest health and high fire hazard conditions, develop a network of Defensible Fuel Profile Zones (DFPZs), restore aspen stands, and improve the condition of existing roads on National Forest land. Alternative 1, the Proposed Action, is identified as the preferred alternative.

Our comments on the Draft Environmental Impact Statement (DEIS) expressed concerns with the project's potential impacts to watersheds, air quality, and noxious weeds (May 8, 2006 letter from Duane James to Jeff Leach). We requested additional information regarding these impacts and additional measures to avoid or mitigate them. The RDEIS has addressed our concerns regarding air quality and noxious weeds by providing the requested information and a description of mitigation measures to address potential adverse effects regarding these resources.

Coordinate with the Central Valley and Lahontan Regional Water Quality Control Boards.

We continue to have concerns with proposed treatments in sub-watersheds that have, or will have after treatment, Equivalent Roaded Acres (ERA) to Threshold of Concern (TOC) ratios greater than 0.85. These ratios indicate the potential for adverse cumulative watershed effects. We recommend the Forest Service work closely with the Central Valley and Lahontan Regional Water Quality Control Boards to avoid and minimize increases to ERA/TOC ratios in sub-watersheds that are already at high risk for adverse cumulative watershed effects.

Consider adoption of Alternative 4 as the Preferred Alternative.

The RDEIS evaluates a new alternative developed in response to a comment received on the DEIS. In contrast to Alternative 3, which would have the least intensive vegetation treatments, Alternative 4 allows thinning of trees up to 20-inches in diameter at breast height (dbh) in Old Forest Emphasis Areas and Home Range Core Areas of sensitive species, 40 percent canopy cover in east-side pine forest, and 50 percent canopy cover in red-fir forest. This alternative would also thin trees up to 30-inches dbh in the Wildland Urban Interface (WUI) Defense Zones (p. S-6).

The RDEIS states that Alternative 4 would be similar to the Proposed Action in meeting project objectives to reduce fire intensity, crown fire potential, and increase the safety and effectiveness of the DFPZ. Alternative 4 would also enhance the timber volume output and improve cost effectiveness while being more aligned with less intensive treatments that reduce potential adverse effects on old forest associated species such as the California spotted owl, northern goshawk, and American marten. Watershed restoration miles, benefits to forest health, and effects to vegetation would be similar to the Proposed Action (Table S-1 Comparison of Alternatives, pps. S-8 to S-24). We recommend Alternative 4 be considered as the preferred alternative because it provides similar benefits as the Proposed Action while addressing the concerns of the public regarding the intensity of proposed vegetation management actions and associated adverse effects on old forest associated species.

Commit to rapid implementation of road improvements in the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD).

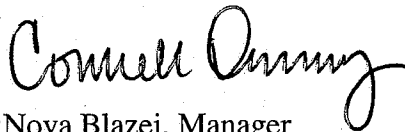
The Phoenix Project is part of the Herger-Feinstein Quincy Library Group (HFQLG) Forest Recovery Act Pilot Project. On November 18, 1999, EPA expressed environmental objections to the Quincy Pilot Project based on potential water quality impacts from road construction, increased wildlife habitat fragmentation, and the potential for noxious weed proliferation. We remain concerned, especially in regard to adverse watershed effects of the existing road system.

We note that the project, regardless of alternative, would provide maintenance on 123 to 135 miles of roads, decommission 4.2 miles, provide drainage improvements on 53.8 miles, improve 9.8 miles of road surface, and restrict access to 47 miles of newly constructed and existing permanent roads by installing 30 gates (p. S-4). We commend

the Forest Service for this effort to address the adverse watershed effects of the existing road system. We recommend the FEIS and ROD include a clear commitment to rapid implementation of these road improvements; especially since these actions are being taken, in part, to help offset the effects of the proposed ground disturbing vegetation management activities (p. 3-233). Additionally, the FEIS should describe how these road improvements will be integrated into the Tahoe National Forest route designation process.

We appreciate the opportunity to review this RDEIS and request a copy of the FEIS when it is released for public review. Please send one (1) hard copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3846 or Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or fujii.laura@epa.gov.

Sincerely,


for Nova Blazej, Manager
Environmental Review Office

Enclosure: Summary of Rating Definitions

cc: Douglas Cushman, Lahontan Regional Water Quality Control Board
Karen Larsen, Central Valley Regional Water Quality Control Board

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion* should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."